

PORT 12.2.1



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ENVIRONMENTAL CLEANUP

**MAR 12 2010**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Mr. Jay N. Zidell  
President  
Zidell Marine Corporation  
3121 S.W. Moody Avenue  
Portland, Oregon 97239

Re: General Notice Letter for the Portland Harbor Superfund Site in Portland, Oregon

Dear Mr. Zidell:

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal Superfund law, the U.S. Environmental Protection Agency (EPA) is responsible for responding to the release or threat of release of hazardous substances, pollutants, or contaminants into the environment – that is, for stopping further contamination from occurring and for cleaning up or otherwise addressing any contamination that has already occurred. EPA has documented that such a release has occurred at the Portland Harbor Superfund Site (the Site) located in Portland, Oregon. EPA has spent, or is considering spending, public funds to investigate and control releases of hazardous substances or potential releases of hazardous substances at the Site. Other parties have spent and are spending funds to conduct a remedial investigation and feasibility study. Based on information presently available to EPA, EPA has determined that Zidell Marine Corporation and predecessor companies including Zidell Dismantling, Inc., Zidell Machinery and Supply Company, Zidell Resources, Inc., Zidell Ship Dismantling Company (collectively “Zidell Marine Corporation”) may be responsible under CERCLA for cleanup of the Site or costs EPA and others have incurred in cleaning up the Site.

**Explanation of Potential Liability**

Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), a Potentially Responsible Party (PRP) or parties may be required to perform response actions deemed necessary by EPA to protect the public health, welfare, or the environment, and may be responsible for the costs incurred by the government in responding to any release or threatened release at the Site. Such actions and costs may include, but are not limited to, a preliminary assessment and site investigation in order to gain an understanding of any risks posed by releases or threatened releases for the Site to human health and the environment, conducting a removal response action at the Site, expenditures for conducting a Remedial Investigation/Feasibility Study (RI/FS), conducting a Remedial Design/Remedial Action (RD/RA), and other investigation, planning, response, oversight, and enforcement activities. In addition, PRPs may be required to

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pay for damages to, destruction of, or loss of natural resources, including the costs of assessing such damages.

EPA has evaluated information in connection with the investigation of the Site performed to date and believes that Zidell Marine Corporation may be a PRP with respect to this Site. PRPs under CERCLA include current owners or operators of the Site; former owners or operators of the Site at the time of disposal of any hazardous substances; persons who arranged for disposal, treatment, or transport of hazardous substances at the Site; or persons who accepted hazardous substances for transport to the Site. Specifically, EPA has reason to believe that hazardous substances have been or are being released from the facilities located at 3121 Southwest Moody Avenue, Portland Shipyard on Swan Island, and the former Kingsley Lumber Company Dock on the West Bank of the Willamette River at River Mile 4 in Portland, Oregon, into the "study area" for the Portland Harbor Superfund Site, which is River Mile 2 to River Mile 12.

To date, EPA and other parties have taken several response actions at the Site under the authority of the Superfund Program. Below is a brief description of some of the actions taken at the Site.

- A Preliminary Assessment (PA) and Site Investigation (SI) in order to gain a basic understanding of any risks posed to human health and/or the environment by releases or threatened releases from the Site.
- A Remedial Investigation (RI) to identify the Site characteristics and to define the nature and extent of soil, air, surface water, and groundwater contamination at the Site and the risks posed by the Site.
- A Feasibility Study (FS) to evaluate different cleanup options for the Site.

#### **Information to Assist You**

EPA would like to encourage communication between you, other PRPs, and EPA at the Site. To assist you in your efforts to communicate, we have enclosed a list of names and addresses of PRPs identified to date for the Site. Additionally, EPA has an internet website for the Portland Harbor Superfund Site at: <http://yosemite.epa.gov/R10/CLEANUP.NSF/sites/ptldharbor>.

EPA is encouraging PRPs to convene a mediated allocation process. Through such a process PRPs work together to allocate the cleanup costs and work through intra-party issues to prepare for future negotiations with EPA for performance of the cleanup and reimbursement of response costs after EPA has issued its Record of Decision for the Portland Harbor Superfund Site. A comprehensive settlement for performance of all work and reimbursement of response costs will avoid litigation and significant transaction costs to you and your company. A group of PRPs have formed a convening group to start this effort. Below is a contact person for the Convening Group:

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Jay N Zidell  
Zidell Marine Corporation  
3121 SW Moody Avenue  
Portland, OR 97239

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PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jay N Zidell  
Zidell Marine Corporation  
3121 SW Moody Avenue  
Portland, OR 97239

2. Article Number

(Transfer from service label)

7009 2250 0001 6624 3508

# COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Jeff Wilcox*

☒ Agent

☐ Addressee

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JEFF WILCOX

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Kristine Koch

US Environmental Protection Agency R10

1200 Sixth Avenue Suite 900, ECL-115

Seattle, WA 98101-1128

**RECEIVED**

**MAR 17 2010**

**Environmental**  
Cleanup Office



Stephen Parkinson  
Groff Murphy, PLLC  
300 East Pine Street  
Seattle, WA 98122  
(206) 832-1484  
sparkinson@GroffMurphy.com


**Resources and Information for Small Businesses**

As you may be aware, on January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at <http://www.epa.gov/swerosps/bf/sblbra.htm> and review EPA guidance regarding these exemptions at <http://www.epa.gov/compliance/resources/policies/cleanup>.

EPA has created a number of helpful resources for small businesses. EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers which offer various forms of resources to small businesses. You may inquire about these resources at <http://www.epa.gov>. In addition, the EPA Small Business Ombudsman may be contacted at <http://www.epa.gov/sbo>. Finally, EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter.

Please give these matters your immediate attention and consider consulting with an attorney. If you have any technical questions regarding the Portland Harbor Superfund Site, you may contact Kristine Koch, Remedial Project Manager, at (206) 553-6705. If you have legal questions about this letter, please contact Lori Houck Cora, Assistant Regional Counsel at (206) 553-1115. Thank you for your prompt attention to this matter.

Sincerely,



Daniel D. Opalski, Director  
Office of Environmental Cleanup

Enclosures

cc: Ms. Kathryn M. Silva, General Counsel  
Zidell Companies

Ms. Suzanne C. Lacampagne  
Miller Nash LLP

Portland Harbor Superfund Site

Entity	Date(s) of GNL(s)	Recipient of Most Recent GNL	Current Correspondence Address	Facility Address
ACF Industries, Inc. / ACF Industries, LLC	December 2000 April 2006	Roger Wynnopp President ACF Industries, LLC 101 Clark Street St. Charles, MO 83301 (636) 949-2399	William L. Finn President ACF Industries LLC 101 Clark St. Saint Charles, MO 63301	12160 NW St. Helens Road
Acme Trading & Supply	March 2009	Chuck Gleason Director of Operations Calbag Metals Company RE: Acme Trading & Supply 2495 NW Nicolai Street PO Box 10067 Portland, Oregon 97296-0067	Chuck Gleason Director of Operations Calbag Metals Company RE: Acme Trading & Supply 2495 NW Nicolai Street PO Box 10067 Portland, Oregon 97296-0067	4927 NW Front Avenue 12005 N. Burgard Road 2495/2550 NW Nicolai Street
Air Liquide America Specialty Gases LLC	April 2006	Kevin Feeney Vice President & General Counsel Air Liquide America Corporation 2700 Post Oak Boulevard, Suite 1800 Houston, TX 77056	Stephanie Payne, Esq. VP and General Counsel - Quality & Regulatory Affairs Air Liquide USA LLC 2700 Post Oak Boulevard, Suite 1800 Houston, TX 77056	6529 NW Front Ave.
Alder Creek Lumber Company, Inc.	December 2000	Ronald Prestwood Alder Creek Lumber Company, Inc. P.O. Box 83237 Portland, OR 97046	Ron Prestwood Vice President Operations Alder Creek Lumber Company, Inc. P.O. Box 19356 Portland, OR 97280	14456 NW Gillihan Rd
Anderson Brothers, Inc./Specialty Truck Parts	November 2009	John Anderson, President Anderson Brothers, Inc. 9111 N. Vancouver Avenue Portland, Oregon 97217		5275 NW St. Helens Road 5315 NW St. Helens Road 4621 NW St. Helens Road & adjacent Tax Lots 200 & 300
Arkema Inc., (FKA Atofina Chemicals, Inc., Elf Atochem North America, Inc., Atochem North America, Inc., Pennwalt Corporation, Pennsalt Chemicals Corporation)	December 2000	Atofina Chemicals 6400 NW Front Ave. Portland OR 95778	Doug Loutzenhiser Legacy Site Services Agent for Arkema, Inc. 468 Thomas Jones Way - Suite 150 Exton, PA 19341-2528	6400 NW Front Ave,
ATKN Company	November 2009	Julianne Viadro Responsible Officer of the Debtors ATKN Company 3527 Mt. Diablo Boulevard, Box 354 Lafayette, California 94549		2700-2800 NW Front Avenue 5555 N Channel Avenue 3060-3721 NW Front Avenue 14400 N Rivergate Boulevard
Babcock Land Company, LLC	December 2000	George Webb Babcock Land Company 9933 NW 107th Ave. Portland, OR 97231	George Webb Managing Member Babcock Land Company LLC 9933 NW 107th Ave. Portland, OR 97231	9933 NW 107th Ave
BAE Systems San Diego Ship Repair, Inc.	March 2010	Robert A. Kilpatrick President BAE Systems San Diego Ship Repair Inc. 2205 East Belt Street San Diego, California 92113	J.W. Ring, Esq. Bateman Seidel Miner Blomgren Chellis & Gram, P.C. Attorneys for Respondent 888 SW Fifth Avenue, Suite 1250 Portland, OR 97204	5555 North Channel Avenue 5851 North Lagoon Avenue
BBD&R, Inc. (AKA Fred Devine Diving and Salvage)	December 2000	J. (Mick) Leitz Fred Devine Diving and Salvage RE: BBD&R, Inc. 6211 N. Ensign St. Portland, OR 97217	J.H. Leitz Fred Devine Diving and Salvage RE: BBD&R, Inc. 6211 N Ensign St. Portland, OR 97217	6211 N Ensign St.
Beazer East, Inc.	April 2006	Jill M. Blundon President Beazer East, Inc./Beazer Materials & Services, Inc. 1 Oxford Centre #3000 Pittsburgh, PA 15219	Jill M. Blundon Vice President Beazer East, Inc./Beazer Materials & Services, Inc. 1 Oxford Centre #3000 Pittsburgh, PA 15219	10350 Time Oil Road



Portland Harbor Superfund Site

Entity	Date(s) of GNL(s)	Recipient of Most Recent GNL	Current Correspondence Address	Facility Address
BP West Coast Products LLC (FKA Atlantic Richfield Company (ARCO))	December 2000 April 2006	Mr. Ralph J. Moran Environmental Portfolio Manager Atlantic Richfield Company RE: BP West Coast Products 6 Centerpoint Drive Suite 727 La Palma, CA 90623	Mr. Ralph J. Moran Environmental Portfolio Manager Atlantic Richfield Company RE: BP West Coast Products 6 Centerpoint Drive Suite 727 La Palma, CA 90623	9930 NW St. Helens Road
Brix Maritime Co., d/b/a Foss Maritime Co.	December 2000 April 2006	Steve T. Scalzo President Brix Maritime Towing Company, Inc. 660 W. Ewing Street Seattle, WA 98119	Steve T. Scalzo President Brix Maritime Towing Company, Inc. 660 W Ewing Street Seattle, WA 98119	9030 NW St. Helens Road
Burlington Northern and Santa Fe Railway Company	December 2000	Matthew Rose Burlington Northern Railroad 2650 Lou Menk Dr. Fort Worth, TX 76131	Matthew K. Rose Chairman, President, and CEO Burlington Northern Santa Fe Corporation BNSF Railway Company 2650 Lou Menk Dr. Fort Worth, TX 76131	3500 - 3930 NW Yeon 11104 NW Front Ave.
Calbag Metals Co.	December 2000 April 2006	Mr. Chuck Gleason Director of Operations Calbag Metals Company 2495 NW Nicolai Street P.O. Box 10067 Portland, OR 97296-0067	Mr. Chuck Gleason Director of Operations Calbag Metals Company 2495 NW Nicolai Street PO Box 10067 Portland, OR 97296-0067	4927 NW Front Ave 12005 N. Burgard Rd 2495/2550 N.W. Nicolai Street
Cargill, Inc.	July 2009	Steven C. Euler Corporate VP, General Counsel, & Corporate Secretary Cargill, Inc. 15407 McGinty Road West Minneapolis, MN 55440		11000 North Lombard Avenue
Cascade General, Inc.	December 2000	Alan Sprott Cascade General Inc. 5555 N. Channel Ave Portland, OR 97217	Frank Foti President and CEO Cascade General, Inc. 2626 NW Cornell Road Portland, OR 97210	5555 N. Channel Ave
Cenex Ag, Inc./CHS, Inc.	July 2009	David A. Baker Secretary and General Counsel Cenex Ag, Inc. 5500 Cenex Drive Inver Grove Heights, MN 55077		5617-5885 North Basin Avenue
CertainTeed Corporation	April 2006	Lauren Alterman Senior Counsel CertainTeed Corporation 750 East Swedesford Road Valley Forge, PA 19482 Phone: (610) 341-7000	Lauren P. Alterman Associate General Counsel Saint-Gobain Corporation for Bird Inc. 750 E. Swedesford Road Valley Forge, PA 19482	6350/6080 NW Front Ave.
Chevron-Texaco Corp. (FKA Texaco Corp.)	December 2000	The Prentice-Hall Corporation 285 Liberty St. NE Salem, OR 97301	Soniya Ziegler Counsel Law Department, Environmental Practice Group Chevron USA, Inc. 6111 Bollinger Canyon Road San Ramon, CA 94583	5531 NW Doane Ave.
City of Portland	December 2000	Al Smith City of Portland 1211 SW 5th Ave Room 1100 Portland, OR 97204	Linda Meng Attorney City of Portland 1221 SW 4th Ave., #430 Portland, OR 97204	Fire Training Grounds NW St Helens & NW Marina Way Outfalls - no facility address Water Pollution Control Laboratory 6543 N Burlington
Columbia Forge & Machine Works	July 2009	Douglas Wayne McMullin Vice President / General Manager CFMW Limited Liability Corporation / Columbia Forge & Machine Works 8524 North Crawford Street Portland, Oregon 97203		8524 North Crawford Street

Portland Harbor Superfund Site

Entity	Date(s) of GNL(s)	Recipient of Most Recent GNL	Current Correspondence Address	Facility Address
Consolidated Metco, Inc.	March 2009	Ernie Nimister Manager of Environmental Compliance and Safety Consolidated Metco, Inc. 13940 North Rivergate Boulevard Portland, Oregon 97203	Ernie Nimister Manager of Environmental Compliance and Safety Consolidated Metco, Inc. 13940 N Rivergate Blvd. Portland, OR 97203	13940 North Rivergate Boulevard
Crawford Street Corporation	April 2006	Robert W. Philip President Crawford Street Corporation 3200 NW Yeon Ave Portland, OR 97296-0047	Robert W. Philip President Crawford Street Corporation 3200 NW Yeon Ave. Portland, OR 97210-1524	8424, 8504 and 8524 N. Crawford Street
Crosby & Overton, Inc.	July 2009	Michael A. Shlob President Crosby & Overton Incorporated 1610 West 17th Street Long Beach, California 90813		12005 North Burgard Street
D.S.U.-Peterbuilt & GMC, Inc.	July 2009	Jan W. Yost President, Secretary, Treasurer D.S.U.-Peterbuilt & GMC, Inc. Post Office Box 3486 5555 N Lagoon Ave. Portland, Oregon 97208		5555 North Lagoon Avenue
Eastman Chemical Company	November 2009	J. Brian Ferguson President Eastman Chemical Company 100 N Eastman Road Kingsport, Tennessee 37662		4150 NW Yeon Avenue 4155 NW Yeon Avenue
Equilon Enterprises, LLC	December 2000	Anthony Palagyi Equilon Enterprises LLC 10602 NE 38th Pl Kirkland, WA 98109	Mr. William E. Platt III Senior Manager, Environmental Claims Shell Oil Company 910 Louisiana, Suite 685 Houston, TX 77002	3800 NW St. Helens Road
ESCO Corporation	March 2010	Kevin S. Thomas Vice President & General Counsel ESCO Corporation 1650 NW Naito Parkway, Suite 200 Portland, OR 97209	Kevin S. Thomas Vice President & General Counsel ESCO Corporation 1650 NW Naito Parkway, Suite 200 Portland, OR 97209	2141 NW 21st Avenue 2760 – 2770 NW Yeon Avenue 2211 NW Brewer Avenue 2245 NW Suffolk Street
ExxonMobil Oil Corporation	December 2000 April 2006	Brian J. Harrison Major Projects Manager Global Remediation ExxonMobil Refining & Supply Company 607 ExxonMobil Road Billings, MT 59101	Anita W. Lovely Exxon Mobil Corporation c/o Lovely Consulting, Inc. 12345 Lake City Way Box # 374 Seattle, WA 98125-5401	9420 NW St Helens Road
FMC Corp	April 2006	John F. Stillman Environmental Counsel FMC Corporation 1735 Market Street Philadelphia, PA 19103	Andrea E. Utecht Vice President, General Counsel, and Secretary FMC Corporation 1735 Market Street Philadelphia, PA 19103	4012-4350 NW Front Ave. 4850 NW Front Ave.
Foss Maritime Company	December 2000 April 2006	Frank Williamson President Foss Maritime Company 660 W Ewing Street Seattle, WA 98119	Frank Williamson General Counsel Foss Maritime Company 660 W Ewing Street Seattle, WA 98119	9030 NW Saint Helens Rd
Foster Poultry Farms (FKA Lynden Farms)	March 2010	Ronald Foster, CEO Foster Poultry Farms 1000 Davis Street Livingston, CA 95334	James Marnatti Director of Environmental Affairs Foster Poultry Farms 1333 Swan Street PO Box 831 Livingston, CA 95334	6135 North Basin Avenue
Freightliner Corporation	December 2000	Milan Synak Freightliner Corporation 4747 N Channel Ave. Portland, OR 97217	Chris Patterson President Freightliner LLC RE: Freightliner Corporation 4747 North Channel Portland, OR 97217	4747 N Channel Ave.

Portland Harbor Superfund Site

Entity	Date(s) of GNL(s)	Recipient of Most Recent GNL	Current Correspondence Address	Facility Address
Front Ave. Corporation (Front Ave. III LP, Front Ave. LP)	April 2006	Jay N. Zidell President Front Ave. Corporation 3121 SW Moody Ave. Portland, OR 97239	Jay N. Zidell President Front Ave. Corporation 3121 SW Moody Ave. Portland, OR 97239	4950, 5034 and 5200 NW Front Ave.
GATX Tank Storage Terminals Corporation	December 2000	Eric Conrad GATX Terminals Corp RE: Willbridge Terminal 1363 N Galley Rd. San Pedro, CA 90731	Brian A. Kenney Chairman, President, and CEO GATX Corporation RE: GATX Terminals Corporation 500 West Monroe Chicago, IL 60661	11400 NW St. Helens
GATX Terminals Corporation	December 2000	Eric Conrad GATX Terminals Corp RE: Willbridge Terminal 1363 N Galley Rd. San Pedro, CA 90731	Brian A. Kenney Chairman, President, and CEO GATX Corporation RE: GATX Terminals Corporation 500 West Monroe Chicago, IL 60661	5880 NW St. Helens
General Electric Co.	March 2009	Thomas Antanoff EHS Project Manager - Remediation & Transactions General Electric Company One River Road Building 43-237 Schenectady, New York 12345	Thomas Antanoff EHS Project Manager - Remediation & Transactions General Electric Company One River Road Building 43-237 Schenectady, New York 12345	2727 and 2929 NW 29th Avenue 2535 NW 28th Avenue
General Services Administration	April 2006	Bernard K. Schafer Office of Property Disposal General Services Administration 1800 F Street NW Washington, D.C. 20405-0001	Bernard K. Schafer Office of Property Disposal General Services Administration 1800 F Street NW Washington, D.C. 20405-0001	Former Oregon Shipbuilding Corporation (No facility address provided)  Former Willamette Iron and Steel Corporation 3050 NW Front Ave.
Georgia-Pacific West, Inc.	December 2000	Steve Petrin Georgia Pacific 900 SW 5th Ave. Portland, OR 95949	Michael Rehwinkel President - Wood Products Georgia-Pacific West, Inc. 133 Peachtree Street NE Atlanta, GA 30303	12222 NW St. Helens Road
Goldendale Aluminum Co.	December 2000	Brett Wilcox Goldendale Aluminum 101 SW Main St. # 905 Portland, OR 97204	Scott Tillman Chief Executive Officer Golden NW Aluminum Holding Co. 3313 West Second Street The Dalles, OR 97058	2600 N River St.
Gould Electronics, Inc. (FKA: GA-TEK Inc., Nikko Materials USA Inc.)	December 2000 April 2006	James F. Cronmiller Director, Corporate Environmental Affairs Gould Electronics, Inc. 35129 Curtis Blvd. Eastlake, OH 44095	James F. Cronmiller Director, Corporate Environmental Affairs Gould Electronics, Inc. 35129 Curtis Blvd. Eastlake, OH 44095	5909 NW 61ST AVE
Great Western Chemical Company (AKA GWC Front LLC)	December 2000	Robert H. McCall Great Western Chemical Company 808 SW 15th Ave. Portland, OR 95298	Conrad Myers Myers & Company RE: Great Western Chemical Company 6327 SW Capitol Highway #222 Portland, OR 97210	5480, 5540, 5700 NW Front St.
GS Roofing Products Company, Inc.	December 2000	GS Roofing Products 6350 NW Front Ave. Portland, OR 97210	Lauren P. Alterman Associate General Counsel Saint-Gobain Corporation for Bird Inc. 750 E. Swedesford Road Valley Forge, PA 19482	6350 NW Front Ave.
Gunderson, LLC	December 2000	Robert A. Bridgers Gunderson, LLC 4350 NW Front Ave Portland, OR 97210	William Furman President The Greenbrier Companies, Inc. RE: Gunderson, Inc. One Centerpointe Dr. Suite 200 Lake Oswego, OR 97035	4350 NW Front Ave
HAI, Inc., d/b/a Christenson Oil	December 2000 April 2006	John Horstman Vice President of Operations Christenson Oil 3865 N.W. St. Helens Road Portland, OR 97217	Lawrence W. Lesniak President, CEO, Registered Agent HAI, Inc. 3865 NW St. Helens Road Portland, OR 97210	3821 NW St. Helens Road
Hendren Tow-Boat Co., Inc.	December 2000 April 2006	Floyd G. Hendren Hendren Tow-Boat Co., Inc. (b) (6) Portland, OR 97229	Floyd G. Hendren President Hendren Tow-Boat Co., Inc. (b) (6) Portland, OR 97229	8444 NW St. Helens Road

Portland Harbor Superfund Site

Entity	Date(s) of GNL(s)	Recipient of Most Recent GNL	Current Correspondence Address	Facility Address
Hercules, Inc.	November 2009	Israel J. Floyd Corporate Secretary and General Counsel Hercules, Inc. 1313 North Market Street Wilmington, DE 19894		3366 NW Yeon Avenue
Koppers Inc.	December 2000	Amos S. Kamerer Koppers Industries, Inc. 7450 NW St. Helens Rd. Portland, OR 97210	Jack Spicuzza Environmental Resources Manager Koppers, Inc. 436 7th Ave. Pittsburgh, PA 15219	7450 NW St. Helens Rd.
Lakeside Industries	December 2000	Charles Gaskill Lakeside Industries 4850 NW Front Ave. Portland, OR 95954	John C. White Red-Samm Mining Co., Inc. RE: Lakeside Industries PO Box 7016 Issaquah, WA 98027	4850 NW Front Ave.
Langley - St. Johns Partnership	April 2006	Peter J. Brix Langley-St. Johns Partnership 14020 SE Johnson Road #201 Milwaukee, OR 97269	Peter J. Brix President Langley-St Johns Partnership 14020 SE Johnson Road #201 Milwaukee, OR 97269	8940 N. Bradford Street
Linnton Plywood Association	December 2000	Jim Stahley Linnton Plywood Association 10504 NW St. Helens Rd. Portland, OR 97231	Gene Elsey President Linnton Plywood Association 845 SE 32nd Hillsboro, OR 97123	10504 NW St. Helens Rd.
Mar Com Marine	December 2000	Tom Maples Mar Com Marine 9070 North Bradford St. Portland, OR 97203	Tom R. Maples President Mar Com, Inc. RE: Mar Com Marine 14815 NE 186th Ave. Bush Prairie, WA 98606	9070 North Bradford St.
Mar Com, Inc.	December 2000 April 2006	Tom R. Maples Mar Com Holdings, LLC 14815 NE 186th Ave. Brush Prairie, WA 98606	Tom R. Maples President Mar Com, Inc. 14815 NE 186th Ave. Brush Prairie, WA 98606	8940, 8970, 9070 N. Bradford Street
Marine Finance Corporation	December 2000	Steve Andrews Marine Finance Corporation 8444 NW St. Helens Rd. Portland, OR 97231	Karen Watson RE: Marine Finance Corporation 13826 Meyers Rd. Apt. 1033 Oregon City, OR 97045	8444 NW St. Helens Rd.
Maritime Administration	April 2006	Robert Foster Trial Attorney U.S. DOJ 1961 Stout Street Eight Floor Denver, CO 80294	Michaela Noble Office of Chief Counsel Division of Litigation and General Law U.S. Department of Transportation Maritime Administration 1200 New Jersey Ave. Washington, DC 20590	Kaiser Company - Swan Island (No facility address provided)  Former Oregon Shipbuilding Corporation (No facility address provided)  Former Willamette Iron and Steel Corporation 3050 NW Front Ave.
McCall Oil and Chemical Corporation (and affiliated entities)	December 2000 April 2006	James Charriere President McCall Oil and Chemical Corporation 5480 N Front Street Portland, OR 97210	James Charriere President and CEO McCall Oil and Chemical Corporation 5480 N Front Street Portland, OR 97210	5480, 5540-5724 NW Front Street
McCormick & Baxter Creosoting Co.	December 2000	Charles McCormick III McCormick & Baxter P.O. Box 3344 Portland, OR 97208	Charles R. McCormick III McCormick & Baxter 6900 N Edgewater P.O. Box 3048 Portland, OR 97208	6900 N Edgewater St.
Metro	December 2000	Mike Burton Metro Regional Government RE: Willamette Cove 600 NW Grand Ave. Portland, OR 97232	April Olbrich Metro Regional Government 600 NE Grand Ave. Portland, OR 97232-2736	5885 NW St. Helens
Morse Bros., Inc.	December 2000	Morse Brothers 12222 NW Marina Portland, OR 97231	Jeff Steyaert Manager - Environmental/Permits Morse Bros., Inc. 32260 Highway 34 Lebanon, OR 97389	12222 NW Marina



Portland Harbor Superfund Site

Entity	Date(s) of GNL(s)	Recipient of Most Recent GNL	Current Correspondence Address	Facility Address
NL Industries, Inc.	April 2006	Robert D. Graham Vice President, Secretary & General Counsel NL Industries, Inc. 5430 LBJ Freeway Suite 1200 Dallas, Texas 75240-2697	Robert D. Graham Vice President, Secretary and General Counsel NL Industries, Inc. 5430 LBJ Freeway Suite 1700 Dallas, TX 75240-2697	5909 NW 61st Ave.
Northwest Natural Gas Company (AKA NW Natural)	December 2000	CJ Rue NW Natural 220 NW Second Portland, OR 97209	Sandra Hart Director Risk Environment and Land Northwest Natural Gas Company 220 NW 2nd Ave. Portland, OR 97209	7900 NW St. Helens Road 7540 W/NW St. Helens Road 7441 NW St. Helens Road
Northwest Pipe Company	December 2000 April 2006	Brian W. Dunham President Northwest Pipe Company 200 SW Market Street Suite 1800 Portland, OR 97201	Brian W. Dunham President and CEO Northwest Pipe Company 200 SW Market Street Suite 1800 Portland, OR 97201	12005 N. Burgard Way
Olympic Pipeline Company	December 2000	W.N. Harris Olympic Pipeline Company 5005 Business Park North Bakersfield, CA 93309	Bobby Talley President Olympic Pipe Line Company 2201 Lind Ave. SW Renton, WA 98055	11400 W/ NW ST Helens Road 9420 NW Saint Helens Road
Oregon Steel Mills, Inc.	December 2000	Drew Gilpin Oregon Steel Mills, Inc. P.O. Box 2760 Portland, OR 97208	Debbie Deetz Silva Environmental Specialist Evraz Oregon Steel Mills P.O. Box 2760 Portland, OR 97208-2760	14400 N Rivergate Blvd.
Owens Corning (Corp.)	December 2000	Thomas Brungard Owens Corning Owens Corning Parkway Toledo, OH 43659	Office of the President Owens Corning Corporation One Owens Corning Pkwy 3G Toledo, OH 43659	11444 NWSt Helens Road
Port of Portland	December 2000	Tom Bispham Port of Portland Environmental Services Division P.O. Box 3529 Portland, OR 97208	Jim McKenna Superfund Project Manager Port of Portland PO Box 3529 Portland, OR 97208	Port of Portland Terminal 1 2100 - 2200 NW Front Ave  Port of Portland Terminal 2 3556 NW Front Ave  Port of Portland Terminal 4 11040 N Lombard St.  Port of Portland Terminal 5 15540, 15550, and 15560 N. Lombard St.  Portland Shipyard 5555 N. Channel Ave
Portland General Electric Company	December 2000	Dennis Norton Portland General Electric 121 SW Salmon St. Portland OR 97204	Arya Behbehani-Divers Manager - Environmental Services Portland General Electric 121 SW Salmon St. Mail Stop 3WTCBR05 Portland, OR 97204	12500 NW Marina Way
RiK Storage and Warehousing, Inc.	December 2000	Roger Croft RK Storage 10937 NW Front Ave Portland, OR 97231	Roger W. Krofft RK Storage and Warehousing, Inc. 10937 NW Front Ave. Portland, OR 97231	10937 NW Front Ave
Ro-Mar Realty of Oregon, Inc.	December 2000	Donna Marden RoMar Realty of Oregon, Inc. 3500 S. Kedzie Chicago, IL 60532	Robert L. Cope Grove, Jaskiewicz and Cobert RE: Ro-Mar Realty of Oregon, Inc. 1730 M St. N.W., Suite 400 Washington, DC 20036	9333 N Time Oil Road
Ro-Mar Transportation Systems, Inc.	March 2009	Donna Marden Vice President & Treasurer Ro-Mar Transportation Systems, Inc. 3500 South Kedzie Avenue Chicago, IL 60632	Donna Marden Vice President & Treasurer Ro-Mar Transportation Systems, Inc. 3500 South Kedzie Avenue Chicago, IL 60632	9333 North Time Oil Road
Samuelson Properties L.P.	March 2010	Reid G. Samuelson Samuelson Properties, L.P. Re: Foster Poultry Farms 5000 Edenhurst Avenue Los Angeles, California 90039	Reid G. Samuelson Samuelson Properties, L.P. Re: Foster Poultry Farms 5000 Edenhurst Avenue Los Angeles, California 90039	6135 North Basin Avenue

Portland Harbor Superfund Site

Entity	Date(s) of GNL(s)	Recipient of Most Recent GNL	Current Correspondence Address	Facility Address
Schnitzer Investment Corp.	December 2000 April 2006	Kenneth M. Novack President Schnitzer Investment Corp. 3200 NW Yeon Ave. Portland, OR 97296-0047	Susan Davidson Schnitzer Investment Corp. 3200 NW Yeon Ave. Portland, OR 97296-0047	12005 N. Burgard Road 6529 NW Front Ave. 9333 N. Time Oil Road 9449 N. Burgard Way 3720 NW Yeon Ave. 4012-4350 NW Front Ave.
Schnitzer Steel Industries, Inc.	March 2009	John D. Carter President and CEO Schnitzer Steel Industries, Inc. 3200 NW Yeon Avenue PO Box 10047 Portland, Oregon 97296	John D. Carter President and CEO Schnitzer Steel Industries, Inc. 3200 NW Yeon Avenue PO Box 10047 Portland, Oregon 97296	9449 North Burgard Rd 9300 North Burgard Road 12005 North Burgard Road
Shaver Transportation Company	December 2000 April 2006	Steve R. Shaver President Shaver Transportation Company 4900 NW Front Ave. Portland, OR 97210	Rob Rich Director of Administration Shaver Transportation Company 4900 NW Front Ave. Portland, OR 97210	14400 N. Rivergate Boulevard 4900 NW Front Ave.
Shell Oil Co.	December 2000 April 2006	Mr. William E. Platt III, Esq. Senior Manager, Environmental Claims Shell Oil Company 910 Louisiana, Suite 685 Houston, TX 77002	Mr. William E. Platt III, Esq. Senior Manager, Environmental Claims Shell Oil Company 910 Louisiana, Suite 685 Houston, TX 77002	5880 NW St Helens
Shore Terminals LLC	March 2009	Rebecca Fink, Esq. c/o Shore Terminals, LLC NuStar Energy L.P. 2330 North Loop 1604 West San Antonio, Texas 78248	Rebecca Fink, Esq. c/o Shore Terminals, LLC NuStar Energy L.P. 2330 North Loop 1604 West San Antonio, Texas 78248	9420 NW St. Helens Road 9400 NW St. Helens Road
Siltronic Corporation	December 2000	Katherine Young Wacker Siltronic P.O. Box 83180 Portland, OR 97083	Neil Nelson President & CEO c/o Siltronic Corporation 7200 NW Front Ave. M/S Portland, OR 97210-3676	7200 NW Front Ave.
Smurfit-Stone Container Enterprises Incorporated	July 2009	Nina E. Butler VP & Sr. Environmental Counsel Smurfit-Stone Container Enterprises Incorporated 3700 Crestwood Parkway, Suite 850 Duluth, Georgia 30096		9930 North Burgard Way 12005 NW North Burgard Street
Starlink Logistics, Inc. (FKA Aventis CropScience USA Holding, Inc., Rhone Poulenc AG Company, Inc., Bayer CropScience LP)	December 2000	Robert L. Ferguson Rhone Poulenc RE: Bayer CropScience LP P.O. Box 12014 Research Triangle Park, NC 22709	John Wichtrich President StarLink Logistics / Bayer CropScience One Copley Parkway, Suite 309 Morrisville, NC 27560	6200 NW St. Helens Rd.
Steelhammer Properties LLC	July 2009	Tom Leaptrott Steelhammer Properties LLC 8524 North Crawford Street Portland, Oregon 97203		8424 & 8524 North Crawford Street
Sulzer Pumps (US), Inc.	March 2009	Kati Babinec Manager, Legal Sulzer Pumps (US), Inc. 200 SW Market Street, 4th Floor Portland, Oregon 97201	Kati Babinec Manager, Legal Sulzer Pumps (US), Inc. 200 SW Market Street, 4th Floor Portland, Oregon 97201	2700 NW Front Avenue 2800 NW Front Avenue
The Marine Group	March 2010	Arthur E. Engel Managing Member/President The Marine Group, LLC 997 G Street Chula Vista, California 91910	J.W. Ring, Esq. Bateman Seidel Miner Blomgren Chellis & Gram, P.C. Attorneys for Respondent 888 SW Fifth Avenue, Suite 1250 Portland, OR 97204	5555 North Channel Avenue 5851 North Lagoon Avenue
The Marine Salvage Consortium, Inc.	December 2000	Marine Salvage Consortium Inc. 6211 N. Ensign Portland, OR 97217	J. H. Leitz President Marine Salvage Consortium, Inc. 6211 N Ensign Portland, OR 97217	6211 N Ensign
The Valspar Corporation	November 2009	Ronda P. Bayer Associate General Counsel The Valspar Corporation 1101 South Third Street Minneapolis, Minnesota 55415		4155 NW Yeon Avenue
Time Oil Co.	December 2000 April 2006	Kevin Murphy Time Oil Company 2737 W. Commodore Way Seattle, WA 98199	Richard Gordon General Counsel Time Oil Co. 2737 W Commodore Way Seattle, WA 98099	9100 NW St. Helens 10350 Time Oil Road

Portland Harbor Superfund Site

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Tosco Corporation	December 2000	Martin Cramer Tosco Corp. 5528 NW Doane Ave. Portland, OR 97210	Willette A. Dubose HS&E Legal Specialist ConocoPhillips Company, ML 1126 Legal Environmental Group 600 North Dairy Ashford Houston, TX 77079	5528 NW Doane Ave.
Toyota Motor Sales, U.S.A., Inc.	March 2010	Yoshimi Inaba Chairman and CEO Toyota Motor Sales, U.S.A., Inc. 19001 South Western Avenue Torrance, CA 90501	Sandra H. Waddell, Esq. Managing Counsel Toyota Motor Sales, U.S.A., Inc. 19001 South Western Avenue - HQ12 Torrance, CA 90501	10400 North Lombard Street and Port of Portland Terminal 4 (a.k.a Upper Parcels)
Toyota Logistics Services, Inc.	March 2010	Yukitoshi Funo President Toyota Logistic Services, Inc. 19001 South Western Avenue Torrance, CA 90501	Sandra H. Waddell, Esq. Managing Counsel Toyota Motor Sales, U.S.A., Inc. 19001 South Western Avenue - HQ12 Torrance, CA 90501	10400 North Lombard Street and Port of Portland Terminal 4 (a.k.a Upper Parcels)
Triangle Park, LLC	December 2000	Jay Zidell Front Ave. LLC 3121 SW Moody Ave. Portland, OR 97201	Kathryn M. Silva General Counsel Zidell Companies 3121 SW Moody Ave. Portland, OR 97239	4950-5200 NW Front Ave.
Tube Forgings of America, Inc.	April 2006	Jay N. Zidell Tube Forgings of America, Inc. 3121 SW Moody Ave. Portland, OR 97239	Kathryn Silva General Counsel Tube Forgings of America, Inc. 3121 SW Moody Ave. Portland OR 97239	5200 NW Front Ave.
Union Pacific Railroad Company	December 2000	Bob Markworth Union Pacific Railroad 1416 Dodge St. Omaha, NE 68179	Robert M. Grimaila Senior Assistant Vice President - Safety Environment and Security Union Pacific Railroad Company RE: Union Pacific Corp. 1400 Douglas St., Mail Stop 1180 Omaha, NE 68179	2745 N Interstate Ave.
U.S. Army Corps of Engineers (USACE)	December 2000	Carolyn Markos US Army Corps of Engineers RE: US Moorings Facility 8010 NW. St Helens Rd. Portland, OR 97210	Kevin J. Brice, P.E., PMP Project Management Division Department of the Army Corp of Engineers, Portland District P.O. Box 2946 Portland, OR 97208-2946	8010 NW St. Helens
U.S. Bonneville Power Administration (BPA)	March 2010	Randy Roach Senior Vice President and General Counsel Bonneville Power Administration 905 NE 11th Ave. Portland, OR 97232	Ernest E. Estes, Esq. LC-7 Bonneville Power Administration 905 NE 11th Avenue Portland, OR 97232	6400 NW Front Avenue (Pennwalt Substation)  Intersection of NW Marina Way and St. Helens Road (Linnton Right-of- Way)
U.S. Navy	April 2006	Roslyn T. Tobe Environmental Trial Attorney Department of the Navy 720 Kennon St., SE Bldg. 36 Room 233 Washington Navy Yard, DC 20374	Roslyn T. Tobe Environmental Trial Attorney Department of the Navy 720 Kennon Street, SE Bldg. 36 Room 233 Washington Navy Yard, DC 20374	Kaiser Company - Swan Island (No facility address provided)  Oregon Steel Mills Facility (No facility address provided)  Former Willamette Iron and Steel Corporation 3050 NW Front Ave.
United States Coast Guard	December 2000	Roy Clark US Coast Guard 2000 Embarcadero Suite 200 Oakland, CA 94609	Dave Stalters Chief, Environmental Division U.S. Coast Guard 2000 Embarcadero, Suite 200 Oakland, CA 94606-5337	6767 N. Basin Ave.
Unocal Corporation	December 2000	Ron Schwah Unocal Corporation 376 S. Valencia Ave. Brea, CA 92823	Willette A. DuBose HS&E Legal Specialist ConocoPhillips 600 N. Dairy Ashford (77079) ML 1126 P.O. Box 4783 Houston, TX 77210	5924 NW Doane Ave
Watumull Properties Corporation	March 2010	JD Watumull Vice President Watumull Properties Corp. 307 Lewers St Suite 600 Honolulu, HI 96815	JD Watumull Vice President Watumull Properties Corp. 307 Lewers St Suite 600 Honolulu, HI 96815	5617-5885 North Basin Avenue

Portland Harbor Superfund Site

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Westinghouse Corporation	November 2009	William D. Wall Vice President, Senior Counsel CBS Corporation RE: Westinghouse Electric Corporation 11 Stanwix Street Pittsburgh, Pennsylvania 15222		614 N Tillamook Street
Willamette-Western Corporation	December 2000	Not Available	Arthur A. Riedel RE: Willamette-Western Corporation (b) (6) PO Box 910 Tillamook, OR 97141	4950-5200 NW Front Ave.
Z Explorations	March 2010	The Corporation Trust Company Registered Agent for Z Explorations, Inc. Corporation Trust Center 1209 Orange Street Wilmington, DE 19801	Larry Nettles Attorney for Global Flow Technologies Vincent & Elkins First City Tower 1001 Fannin Street Suite 2500 Houston, TX 77002-6760	3121 Southwest Moody Avenue former Kinglsey Lumber Company Dock on the West Bank of the Willamette River at River Mile 4
Zidell Marine Corp.	March 2010	Jay N. Zidell President Zidell Companies 3121 S.W. Moody Avenue Portland, Oregon 97239	Kathryn M. Silva General Counsel Zidell Companies 3121 S.W. Moody Avenue Portland, Oregon 97239  Suzanne C. Lacampagne Miller Nash LLP 111 Southwest Fifth Avenue Suite 3400 Portland, Oregon 97204	3121 Southwest Moody Avenue Portland Shipyard on Swan Island  former Kinglsey Lumber Company Dock on the West Bank of the Willamette River at River Mile 4
ZRZ Realty Co.	March 2010	Jay N. Zidell President ZRZ Realty Company 3121 S.W. Moody Avenue Portland, Oregon 97239	Kathryn M. Silva General Counsel Zidell Companies 3121 S.W. Moody Avenue Portland, Oregon 97239  Suzanne C. Lacampagne Miller Nash LLP 111 Southwest Fifth Avenue Suite 3400 Portland, Oregon 97204	3121 Southwest Moody Avenue





Office of Enforcement and Compliance Assurance  
**INFORMATION SHEET**

## U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

### Compliance Assistance Centers

([www.assistancecenters.net](http://www.assistancecenters.net))

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

#### Agriculture

([www.epa.gov/agriculture](http://www.epa.gov/agriculture) or 1-888-663-2155)

#### Automotive Recycling Industry

([www.ecarcenter.org](http://www.ecarcenter.org))

#### Automotive Service and Repair

([www.ccar-greenlink.org](http://www.ccar-greenlink.org) or 1-888-GRN-LINK)

#### Chemical Industry

([www.chemalliance.org](http://www.chemalliance.org))

#### Construction Industry

([www.cicacenter.org](http://www.cicacenter.org) or 1-734-995-4911)

#### Education

([www.campuserc.org](http://www.campuserc.org))

#### Healthcare Industry

([www.hercenter.org](http://www.hercenter.org) or 1-734-995-4911)

#### Metal Finishing

([www.nmfr.org](http://www.nmfr.org) or 1-734-995-4911)

#### Paints and Coatings

([www.paintcenter.org](http://www.paintcenter.org) or 1-734-995-4911)

#### Printed Wiring Board Manufacturing

([www.pwbr.org](http://www.pwbr.org) or 1-734-995-4911)

#### Printing

([www.pneac.org](http://www.pneac.org) or 1-888-USPNEAC)

#### Transportation Industry

([www.transource.org](http://www.transource.org))

#### Tribal Governments and Indian Country

([www.epa.gov/tribal/compliance](http://www.epa.gov/tribal/compliance) or 202-564-2516)

#### US Border Environmental Issues

([www.bordercenter.org](http://www.bordercenter.org) or 1-734-995-4911)

The Centers also provide State Resource Locators ([www.envcap.org/statetools/index.cfm](http://www.envcap.org/statetools/index.cfm)) for a wide range of topics to help you find important environmental compliance information specific to your state.

### EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

#### EPA's Home Page

[www.epa.gov](http://www.epa.gov)

#### Small Business Gateway

[www.epa.gov/smallbusiness](http://www.epa.gov/smallbusiness)

#### Compliance Assistance Home Page

[www.epa.gov/compliance/assistance](http://www.epa.gov/compliance/assistance)

#### Office of Enforcement and Compliance Assurance

[www.epa.gov/compliance](http://www.epa.gov/compliance)

#### Voluntary Partnership Programs

[www.epa.gov/partners](http://www.epa.gov/partners)



## U.S. EPA SMALL BUSINESS RESOURCES

### Hotlines, Helplines & Clearinghouses

([www.epa.gov/epahome/hotline.htm](http://www.epa.gov/epahome/hotline.htm))

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

#### Clean Air Technology Center

([www.epa.gov/ttn/catc](http://www.epa.gov/ttn/catc) or 1-919-541-0800)

#### Emergency Planning and Community Right-To-Know Act

([www.epa.gov/superfund/resources/infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.

([www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888)

The National Environmental Compliance Assistance Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers ([www.epa.gov/clearinghouse](http://www.epa.gov/clearinghouse))

National Response Center to report oil and hazardous substance spills.

([www.nrc.uscg.mil](http://www.nrc.uscg.mil) or 1-800-424-8802)

#### Pollution Prevention Information Clearinghouse

([www.epa.gov/opptintr/ppic](http://www.epa.gov/opptintr/ppic) or 1-202-566-0799)

#### Safe Drinking Water Hotline

([www.epa.gov/safewater/hotline/index.html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791)

#### Stratospheric Ozone Refrigerants Information

([www.epa.gov/ozone](http://www.epa.gov/ozone) or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.

(1-202-554-1404)

#### Wetlands Helpline

([www.epa.gov/owow/wetlands/wetline.html](http://www.epa.gov/owow/wetlands/wetline.html) or 1-800-832-7828)

### State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

#### EPA's Small Business Ombudsman

([www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888)

#### Small Business Environmental Homepage

([www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org) or 1-724-452-4722)

### Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated,

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

#### The Small Business Compliance Policy

([www.epa.gov/compliance/incentives/smallbusiness](http://www.epa.gov/compliance/incentives/smallbusiness))

#### Audit Policy

([www.epa.gov/compliance/incentives/auditing](http://www.epa.gov/compliance/incentives/auditing))

### Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

### Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

*EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.*